

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 2637

Examiner: David B. Lugo

Serial No. 10/825,789

Filed: April 16, 2004

In re Application of: Brown et al.

For: SINGLE AND MULTIPLE SINEWAVE MODULATION AND  
DEMODULATION TECHNIQUES, APPARATUS, AND  
COMMUNICATIONS SYSTEMS

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**REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT**

Under 37 CFR §10.40(c) Permissive Withdrawal

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby apply to withdraw as attorney or agent for the above-identified application on behalf of myself and the attorneys and agents listed below:

Kenneth D'Alessandro, Reg. No. 29,144, John W. Crosby, Reg. No. 49,058, William P. Wilbar, Reg. No. 43,265, Michael Johnson, Reg. No. 55,306, Timothy Brisson, Reg. No. 44,046, Andrew Gathy, Reg. No. 46,441, Nicole Coppes-Gathy, Reg. No. 46,640, and all Attorneys, and Agents of Sierra Patent Group, Ltd.

In accordance with 37 C.F.R. §§ 1.36 and 10.40, the undersigned attorney of record applies withdrawal from representation of the above-identified patent application for the following reason(s):

## CFR §10.40

(c) **Permissive withdrawal.** If paragraph (b) of this section is not applicable, a practitioner may not request permission to withdraw in matters pending before the Office unless such request or such withdrawal is because:

(1) The petitioner's client:

- ☐ (i) Insists upon presenting a claim or defense that is not warranted under existing law and cannot be supported by good faith argument for an extension, modification, or reversal of existing law;
- ☐ (ii) Personally seeks to pursue an illegal course of conduct;
- ☐ (iii) Insists that the practitioner pursue a course of conduct that is illegal or that is prohibited under a Disciplinary Rule;
- ☒ (iv) By other conduct renders it unreasonably difficult for the practitioner to carry out the employment effectively;
- ☐ (v) Insists, in a matter not pending before a tribunal, that the practitioner engage in conduct that is contrary to the judgment and advice of the practitioner but not prohibited under the Disciplinary Rule; or
- ☐ (vi) Has failed to pay one or more bills rendered by the practitioner for an unreasonable period of time or has failed to honor an agreement to pay a retainer in advance of the performance of legal services.

☐ (2) The practitioner's continued employment is likely to result in a violation of a Disciplinary Rule;

☐ (3) The practitioner's inability to work with co-counsel indicates that the best interest of the client likely will be served by withdrawal;

☐ (4) The practitioner's mental or physical condition renders it difficult for the practitioner to carry out the employment effectively;

☐ (5) The practitioner's client knowingly and freely assents to termination of the employment; or

☐ (6) The practitioner believes in good faith, in a proceeding pending before the Office, that the Office will find the existence of other good cause for withdrawal.

**CORRESPONDENCE ADDRESS**

Please address all future correspondence related to the above-referenced patent application to:

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Respectfully submitted,

Dated: December 7, 2007

/kenneth d'alessandro/

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